<u>REMARKS</u>

In the Office Action issued on September 15, 2006, claims 22 and 27 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the inventor regards as the invention. Claims 1-14, 22 and 26-32 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,959,015 to Rasinski et al. (Rasinski). Claims 15-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rasinski in view of U.S. Patent No. 5,566,295 to Cypher et al. Claims 1-22 and 24-32 are now pending in this application. Claims 1, 22, and 27 have been amended to clarify the invention.

A.   35 U.S.C. §112

On page 2 of the Office Action, claims 22 and 27 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter which the inventor regards as the invention. Claims 22 and 27 each failed to have antecedent bases for the recitation of the limitation "said rules" in the claims. Claims 22 and 27 were amended to correct the error. The Applicants believe that the rejection has been overcome and withdrawal of the rejection is respectfully requested.

B.   35 U.S.C. §102(b)

On page 2 of the Office Action, claims 1-14, 22 and 26-32 were rejected under 35 U.S.C. §102(b) as being anticipated by Rasinski. Claim 1, as amended, now recites a device for generating decision support for decisions which determine and/or control the behavior of an apparatus, a tangible system, or a machine comprising, the device being operable with a first automatic rule handler automatically executing said rules to control the behavior of the apparatus, the tangible system, or the machine and a second rule handler which enables a user,

by instructions via said second means, to control the behavior of the apparatus, the tangible system, or the machine as an alternative to a behavior of the apparatus, the tangible system, or the machine that is to be carried out according to a rule in the set of rules that are automatically executed by the first rule handler, such that the second rule handler is activated and executes the rule in the set of rules with the alternative to the behavior in accordance with said instructions from the user at the same time that the first rule handler continues the automatic execution of the other rules in the set of rules to control other behavior of the apparatus, the tangible system, or the machine.

In contrast, Rasinski discloses an interactive simulator for training a pilot using on-board electronics for simulating in-fight threats and countermeasure responses. *See Col. 1, lines 11-16.* The simulator enables the user to switch between normal mode and simulation mode. *See. Col. 3, line 19-22.* Threat scenarios are stored in computer memory and recalled at a push-button display console. *See abstract.* A data and control bus 28 couples command signals from pilot-trainee input 14 and navigational data 12 to the CPU 10 for interacting with a predetermined scenario, and **returns data signals representative of the scenario to a second control processing unit CPU 30.** (emphasis added). CPU 30 is coupled to a suitable display unit 32, which may be a cathode ray tube, for providing **a visual representation of the scenario in the simulator mode**, or for a display corresponding to cockpit instruments in the normal mode. The threat display may be superimposed upon other representative display format which the pilot is capable of calling up, such as communications, control, waypoint planning, etc. *See Col. 3, lines 14-41.*

When a threat is detected, the display will appear as in FIG. 3. The relative location of the threat is indicated by the numeral "4", which corresponds to a predetermined threat condition

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known to the pilot-trainee. As the aircraft approaches the threat, the position of the threat will be shown on the moving display. All of the events that may occur in response to a threat, such as enabling jammer, dispensing of chaffs, etc., are merely representative of behavior the aircraft can perform that are provided on a display as a simulated event. None of the events or actions taken during the simulation mode disclosed by Rasinski actually control the physical behavior of the aircraft operating in simulation mode. Accordingly, Rasinski fails to teach or suggest a first rule handler or second rule handler as claimed in claim 1 of the present invention.

Thus, the present invention, according to claim 1 and according to claims 22, and 27, which are similar to claim 1, and according to claims 2-14, 24-26, and 28-30 which depend therefrom, is not anticipated by Rasinski.

C.   35 U.S.C. §103(a)

Claims 15-21 were rejected under 35 U.S.C. §103(a) as being unpatentable over Rasinski in view of Cypher. Cypher is relied upon to cure the deficiencies of Rasinski. Cypher merely discloses an extensible simulation system and graphical programming method that enables a simulation user to program the behaviors of objects in a simulation while requiring no knowledge of computer programming concepts or languages. However, Cypher fails to disclose or suggest a first rule handler or second rule handler as claimed in claims 1, 22 and 27 of the present invention.

The combination of Rasinski and Cypher still fails to disclose or suggest these required elements of the present invention. Therefore, the present invention, according to claims 15-21 is not unpatentable over Rasinski in view of Cypher.

In view of the above, it is respectfully submitted that the present invention is allowable over the references relied upon in the Office Action. Accordingly, favorable reconsideration of

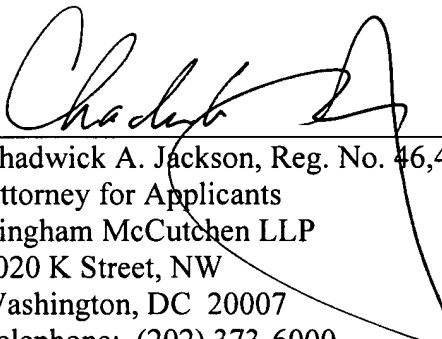this case and early issuance of the Notice of Allowance are respectfully requested.

D.   Additional Fees

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 19-5127 (25880.0022).

E.   Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

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